

TFW 1619

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	09/869,282
Filing Date	June 18, 2002
First Named Inventor	SIRIMANNE
Art Unit	1619
Examiner Name	MANTIS MERCADER, ELENI M.
Attorney Docket Number	032,290-092

**ENCLOSURES (Check all that apply)**

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input checked="" type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>- Exhibit A to Status Inquiry<br>- receipt verification postcard |
|---|--|--|

Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	O'MELVENY & MYERS LLP		
Signature	<i>Diane K. Wong</i>		
Printed name	Diane K. Wong		
Date	August 21, 2006	Reg. No.	54,550

**CERTIFICATE OF TRANSMISSION/MAILING**

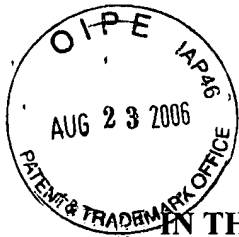
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature	<i>Cynthia B. Pacheco</i>		
Typed or printed name	Cynthia B. Pacheco	Date	August 21, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

American LegalNet, Inc.  
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Patent  
Attorney Docket: 032,290-092  
(formerly 412692000403)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**SIRIMANNE et al.**

**Serial No.: 09/869,282**

Filed: June 18, 2002

For: DEVICE AND METHOD FOR SAFE  
LOCATION AND MARKING OF A  
CAVITY AND SENTINEL LYMPH NODES

Group Art Unit: 1619

Examiner: MANTIS MERCADER,  
ELENI M.

**THIRD STATUS INQUIRY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

No office action or other communication on the above application has been received since the Notice of Acceptance of Power of Attorney mailed on May 26, 2005.

Attached hereto as Exhibit A are copies of the first and second Status Inquiry and receipt verification postcards, as received by the USPTO on March 14, 2005 and October 17, 2005. No response to either Status Inquiry has been received. Applicant respectfully requests to be informed of the status of the application.

Please direct your response to the undersigned.

Respectfully submitted,  
O'MELVENY & MYERS LLP

Dated: August 21, 2006

By: Diane K. Wong  
Diane K. Wong, Reg. No. 54,550  
Attorneys for Applicant

610 Newport Center Drive, Suite 1700  
Newport Beach, CA 92660-6429  
(949) 760-9600

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 21, 2006  
Date of Deposit  
NB1:693356.1

Cynthia B. Pacheco  
Cynthia B. Pacheco

COPY

Applicant: SIRIMANNE et al.  
Serial No.: 09/869,282  
For: DEVICE AND METHOD FOR SAFE LOCATION AND MARKING OF A  
CAVITY AND SENTINEL LYMPH NODES

Attorney: JCK/cp  
Docket No.: 032,290-092

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

**Enclosures:**

1. Transmittal
2. Information Disclosure Statement
3. Form SB/08 (w/copy of 1 reference attached)
4. Second Status Inquiry
5. Receipt verification postcard

Date of Deposit: October 13, 2005  
First Class mail

NB1:665877.1

COPY

Applicant: SIRIMANNE et al.  
Serial No.: 09/869,282  
For: DEVICE AND METHOD FOR SAFE LOCATION AND MARKING OF A  
CAVITY AND SENTINEL LYMPH NODES

Attorney: JCK/cp  
Docket No.: 032,290-092

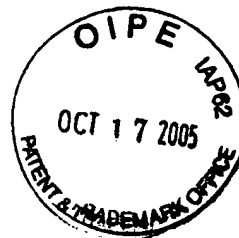
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3. Form SB/08 (w/copy of 1 reference attached)
4. Second Status Inquiry
5. Receipt verification postcard

Date of Deposit: October 13, 2005  
First Class mail

NB1:665877.1



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Applicant: SIRIMANNE et al.

Serial No.: 09/869,282

For:

Attorney: DKW/cp  
Docket No.: 032,290-092  
DEVICE AND METHOD FOR SAFE LOCATION AND MARKING OF A  
CAVITY AND SENTINEL LYMPH NODES

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**Enclosures:**

1. Transmittal Letter
2. Status Inquiry (w/copy of Power of Attorney and receipt verification postcard)
3. Receipt verification postcard

Date of Deposit: March 9, 2005

First Class mail

IR1:1063214.1

COPY

Applicant: SIRIMANNE et al.

Serial No.: 09/869,282

For:

Attorney: DKW/cp  
Docket No.: 032,290-092  
DEVICE AND METHOD FOR SAFE LOCATION AND MARKING OF A  
CAVITY AND SENTINEL LYMPH NODES

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

**Enclosures:**

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2. Status Inquiry (w/copy of Power of Attorney and receipt verification postcard)
3. Receipt verification postcard

Date of Deposit: March 9, 2005

First Class mail

IR1:1063214.1



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END 5 247 USA PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

SIRIMANNE et al.

Serial No.: 09/869,282

Filed: June 18, 2002

For: DEVICE AND METHOD FOR SAFE  
LOCATION AND MARKING OF A  
CAVITY AND SENTINEL LYMPH NODES

Group Art Unit: 2605

Examiner: Not yet assigned

COPY

STATUS INQUIRY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

No office action or other communication on the above application has been received since the FILING RECEIPT, mailed on August 27, 2002.

COPY

Attached is a copy of the Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers and receipt verification postcard, as received by the USPTO on January 28, 2005. No acceptance of said Power of Attorney has been received. Applicant respectfully requests to be informed of the status of the application.

CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 9, 2005

Date of Deposit  
IR1:1063212.1

*Cynthia B. Pacheco*  
Cynthia B. Pacheco

COPY

Please direct your response to the undersigned.

Respectfully submitted,  
O'MELVENY & MYERS LLP

Dated: March 9, 2005.

By: Diane K. Wong  
Diane K. Wong  
Attorneys for Applicant  
Reg. No. 54,550

O'Melveny & Myers LLP  
114 Pacifica, Suite 100  
Irvine, CA 92618-3315  
(949) 737-2900

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OMM Docket Nos.  
032,290-087  
032,290-088  
032,290-090  
032,290-091  
032,290-092  
032,290-093  
032,290-094  
032,290-095  
032,290-096  
032,290-101  
032,290-102  
032,290-103  
032,290-104  
032,290-105

Applicant: Ethicon Endo-Surgery, Inc.

Attorney: JCK/cp  
Docket No.: multiple

Please acknowledge receipt of the following by affixing hereon the Patent and Trademark Office date stamp and returning this card to our office.

**Enclosures:**

1. Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers (14 copies)
2. Receipt verification postcard

Date of Deposit: January 25, 2005  
First Class mail  
IR1:1061819.1

COPY

Applicant: Ethicon Endo-Surgery, Inc.

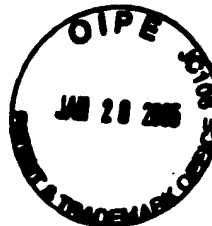
Attorney: JCK/cp  
Docket No.: multiple

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**Enclosures:**

1. Power of Attorney by Assignee of Entire Interest and Revocation of Prior Powers (14 copies)
2. Receipt verification postcard

Date of Deposit: January 25, 2005  
First Class mail  
IR1:1061819.1



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
AND REVOCATION OF PRIOR POWERS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

I, Gerry S. Gressel, Assistant Secretary, of Ethicon Endo-Surgery, Inc., as representative of the Assignee of record of the entire interest of all applications listed below, hereby revoke all powers of attorney previously given and appoint the following attorneys and/or agents to prosecute and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefore before any competent International Authorities in connection with any international patent application(s) corresponding to the below-identified applications.

Attorney Name	Registration No.
Dean L. Garner	35,877
Verne B. Kreger, Jr.	35,231
Gerry S. Gressel	34,342
Joseph F. Shirtz	31,880
Phil Johnson	27,200
David B. Murphy	31,125
John Kappos	37,861
Polaphat Veravanich	45,179
Diane K. Wong	54,550

**CERTIFICATE OF MAILING (37 C.F.R. §1.8a)**

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January 25, 2005

Date of Deposit

Cynthia B. Pacheco  
Cynthia B. Pacheco

IR1:1059939.2



Patent

Please send all correspondence to the attention of John Kappos, at Customer Number 34263, and direct all telephone calls to John Kappos at (949) 737-2900.

COPY

**34263**  
PATENT TRADEMARK OFFICE

**O'MELVENY & MYERS LLP**  
114 Pacifica, Suite 100  
Irvine, CA 92618  
(949) 737-2900

U.S. Serial No./ Patent No.	U.S. Filing Date	First-Named Inventor	Reel	Frame	Recordation Date	OMM Docket
6,605,047	09/10/2001	Zarins	012651 015460	0994 0497	02/13/2002 12/16/2004	032,290-095
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Patent

In conformance with 37 C.F.R. §3.73(b), I hereby certify that all documents in connection with the chain of title for each of the above applications have been reviewed, and to the best of my knowledge, all right, title and interest is in Ethicon Endo-Surgery, Inc.

COPY

Dated: Jan 24, 2005

By: \_\_\_\_\_

Gary S. Grabel  
Assistant Secretary  
Ethicon Endo-Surgery, Inc.

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